

P A T E N T

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kevin Richardson et al.

Confirmation No.: 5329

Serial No.: 10/767,981

Examiner: M. Mendez

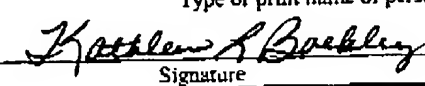
Filing Date: January 29, 2004

Group Art Unit: 3763

Docket No.: 1001.1435102

Customer No.: 28075

For: C-CHANNEL TO O-CHANNEL CONVERTER FOR A SINGLE OPERATOR
EXCHANGE BILIARY CATHETER**RECEIVED**
CENTRAL FAX CENTER**AUG 02 2006**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING**
REJECTION OVER A PRIOR PATENT (37 C.F.R. § 1.321(c))

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (10)(B))	
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at <u>571-273-8300</u> on the date shown below.	
_____ Kathleen L. Bockley Type or print name of person signing certification	
 Signature	<u>August 2, 2006</u> Date

Dear Sir:

The owner, SciMed Life Systems, Inc., full of interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,764,484. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

Appl. No. 10/767,981
Term. Discl. dated August 2, 2006
Reply to Office Action of May 5, 2006

statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as "the term of the prior patent is presently shortened by any terminal disclaimer," in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

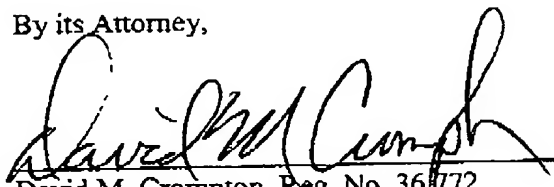
As indicated on the Fax Transmission Cover Letter, Applicants authorize the terminal disclaimer fee of \$130 to be charged to Deposit Account No. 50-0413.

Respectfully submitted,

SCIMED LIFE SYSTEMS, INC.

By its Attorney,

Date: 8/2/06


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